



PHA 4140 (3744)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Mark G. Obukowicz, et al.  
Serial No. 09/737,892  
Filed December 15, 2000  
Confirmation No. 2003  
For SELECTIVE COX-2 INHIBITION FROM EDIBLE PLANT EXTRACTS  
Examiner Michael V. Meller

Art Unit 1654

February 2, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated October 2, 2003, rejecting the following claims: 1-5, 35, 37, 78-93.

The appeal fee of \$330.00 is submitted herewith.

The fee for a one month extension of time under 37 CFR 1.136(a) is also enclosed.

If there are any additional charges in this matter, please charge our Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy B. McBride".

Timothy B. McBride, Reg. No. 47,781  
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02 FC:1251 110.00 OP

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Application Number 09/737,892  
Filing Date December 15, 2000  
Confirmation No. 2003  
Inventor(s) Mark G. Obukowicz, et al.  
Group Art Unit 1654  
Examiner Name Michael V. Meller  
Attorney Docket Number PHA 4140 (3374)

A circular stamp with the words "U.S. PATENT & TRADEMARK OFFICE" around the perimeter. In the center, it says "FEB 02 2004" and "SEARCHED" at the top, "INDEXED" in the middle, and "FILED" at the bottom.

#### METHOD OF PAYMENT

1. [ ] The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.

[ ] The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.

[ ] Applicant claims small entity status.

2. [X] Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

## **Fee Calculation**

1. [ ] BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)

2. [ ] EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_

Total Claims \_\_\_\_\_

### Independent Claims \_\_\_\_\_

### Multiple Dependent Claims \_\_\_\_\_

3. [X] ADDITIONAL FEES Subtotal (3) \$440.00

- Surcharge - late filing fee or oath
- Surcharge - late provisional filing fee or cover sheet
- Extension for reply within first month
- Notice of Appeal
- Filing a Brief in Support of an appeal
- Request for ex parte Reexamination
- Petitions to the Commissioner
- Submission of Information Disclosure Statement
- Recording each patent assignment per property
- Request for Continued Examination
- Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT \$440.00**

Timothy B. McBride, Reg. No. 47,781

February 2, 2004

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